

Message Text

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EXDIS USSALTTWO

E O 11652: XGDS-1
TAGS: PARM
SUBJ: AMBASSADOR EARLE'S STATEMENT OF AUGUST 12, 1977
(SALT TWO - 1341)

THE FOLLOWING IS STATEMENT DELIVERED BY AMBASSADOR EARLE
AT THE SALT TWO MEETING OF AUGUST 12, 1977:

QUOTE:

MR. NINISTER:

I.

TODAY I WILL DUSCUSS THE ISSUE OF NON-CIRCUMVENTION.

II.

THE SOVIET DELEGATION HAS PROPOSED FOR INCLUSION IN THE

JOINT DRAFT TEXT ARTICLES XII AND XIII, WHICH DEAL WITH NON-
CIRCUMVENTION AND NON-TRANSFER RESPECTIVELY, AND IT, THE SOVIET
DELEGATION, HAS REPEATEDLY EXPRESSED ITS CONCERN THAT FAILURE
TO INCLUDE SUCH PROVISIONS WOULD UNDERMINE THE NEW AGREEMENT.

AS THE UNITED STATES DELEGATION HAS STRESSED IN EARLIER
DISCUSSIONS OF THE ISSUE OF NON-CIRCUMVENTION, THE UNITED
STATES WILL NOT ENTER INTO ANY AGREEMENT WITH THE INTENTION
OF CIRCUMVENTING ITS PROVISIONS. WE ASSUME THAT THE SOVIET

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UNION SHARES THIS ATTITUDE. THEREFORE, IT APPEARS TO THE
UNITED STATES THAT THE INCLUSION OF SUCH A PROVISION IS
NOT NECESSARY TO THE NEW AGREEMENT. HOWEVER, IN VIEW OF THE
EXPRESSED CONCERN OF THE SOVIET UNION, THE UNITED STATES IS
PREPARED TO ADDRESS THE SUBJECT OF NON-CIRCUMVENTION AT THIS
TIME.

III.

IN CONTRAST TO THE SOVIET VIEW THAT THE ISSUES OF NON-CIRCUMVENTION AND NON-TRANSFER REQUIRE SEPARATE ATTENTION IN THE NEW AGREEMENT, THE UNITED STATES BELIEVES THAT A BROADLY DRAWN NON-CIRCUMVENTION PROVISION IS THE MOST EFFECTIVE WAY TO EMBODY IN THE NEW AGREEMENT THE INHERENT OBLIGATIONS OF THE SIDES. SPECIFICITY IN A PROVISION OF THIS NATURE WOULD NECESSARILY TEND TO NARROW ITS APPLICATION. ANY QUESTIONS WHICH MIGHT ARISE REGARDING POSSIBLE CIRCUMVENTION OF THE PROVISIONS OF THE NEW AGREEMENT SHOULD BE CONSIDERED ON A CASE-BY-CASE BASIS.

IV.

ACCORDINGLY, THE UNITED STATES PROPOSES THAT THE NEW AGREEMENT INCLUDE THE FOLLOWING ARTICLE WHICH WOULD REPLACE ARTICLES XII AND XIII PROPOSED BY THE SOVIET DELEGATION:

ARTICLE XII

IN ORDER TO ENSURE THE VIABILITY AND EFFECTIVENESS OF THIS AGREEMENT, EACH PARTY UNDERTAKES NOT TO CIRCUMVENT THE PROVISIONS OF THIS AGREEMENT.

V.

MR. MINISTER, THE UNITED STATES BELIEVES THAT THE UNITED STATES PROPOSAL IS THE MOST EFFECTIVE WAY TO DEAL WITH THIS ISSUE. WE HOPE THE SOVIET DELEGATION WILL GIVE IT THE MOST CAREFUL CONSIDERATION

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